

(2-11-03)

47 Election
Winning
2/26/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/038,714 Confirmation No.: 8922
First Named Inventor: Shibaek Nam Filing Date: January 2, 2002
Group Art Unit: 2826 Examiner: Pershelle L. Green
Atty. Docket No.: M-11590 US
Title: Semiconductor Device Having Multi-Chip Package Structure
Assignee: Fairchild Semiconductor Corporation

San Francisco, California
February 14, 2003

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

Dear Sir:

This is a response to the Office Action dated January 14, 2003, which requires a restriction election to be made between the following:

- Species I: Figure 1;
- Species II: Figure 2;
- Species III: Figure 3; and
- Species IV: Figure 4.

Applicants respectfully traverse this restriction. The Examiner asserts that each of Figures 1-4 is a patentably distinct species of claimed invention. Applicants respectfully disagree.

Figures 1 and 2 depict details for one embodiment of the present invention. This embodiment is the subject of claims 1-22 and 37-48. All of the independent claims in this group are directed at the

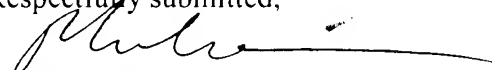
separate from Figure 1. Accordingly, at a minimum, the present claims do not draw a patentable distinction between Figures 1 and 2.

Likewise, Figures 3 and 4 depict details for another embodiment of the present invention. This embodiment is the subject matter of claims 23-36 and 49-60. All of the independent claims of this group are directed at the details of Figure 3. The details of Figure 4 are only the subject of various dependent claims. Thus, Applicants have not submitted any claims for a patentable species for Figure 4 that are separate from Figure 3. Accordingly, the present claims do not draw a patentable distinction between Figures 3 and 4.

Applicants elect the species of the claimed invention of Figures 3 and 4. But for the sake of providing a complete response, if the Examiner maintains that Figures 3 and 4 depict patentably distinct species (which they do not), Applicants elect Species III.

Applicants respectfully request that the Application be examined. Should the Examiner wish to discuss the Application, it is requested that the Examiner contact the undersigned at (415) 772-7428.

Respectfully submitted,



Philip W. Woo
Attorney of Record
Reg. No. 39,880

EXPRESS MAIL LABEL NO.:

EU 973 370 810 US